

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q97391

Akio SUGIHARA, et al.

Appln. No.: 10/594,127

Group Art Unit: 1625

Confirmation No.: 8975

Examiner: Niloofar RAHMANI

Filed: September 25, 2006

For: COMPOSITION OF SOLIFENACIN OR SALT THEREOF FOR USE IN SOLID FORMULATION

STATEMENT OF SUBSTANCE OF INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please review and enter the following remarks summarizing the interview conducted on

June 18, 2009:

REMARKS

An Examiner's Interview Summary Record (PTO-413) was mailed June 23, 2009.

During the interview, the following was discussed:

1. Brief description of exhibits or demonstration: None.
2. Identification of claims discussed: 10
3. Identification of art discussed: None.
4. Identification of principal proposed amendments: None.

5. Brief Identification of principal arguments: The undersigned pointed out that support for the amendment to claim 10 as presented in the Amendment filed April 16, 2009 is found in the paragraph bridging pages 29-30 as stated in the "Remarks" section of the Amendment. The undersigned specifically pointed out that the specification specifically states

pharmaceutical preparations for example at a state such that solifenacin or a salt thereof is not in physical contact with an inhibitor of amorphous preparation in an intermediate layer using other additive and the like are excluded.

Thus, the amendment to claim 10 as set forth in the Amendment filed April 16, 2009 is supported by the original specification.

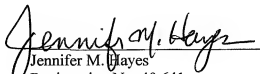
Notwithstanding the above, the undersigned pointed out that prior to the Interview with the Examiner, claim 10 was amended to recite that the solifenacin is "not in contact with or in mixture with the inhibitor of amorphous preparation" in the Amendment filed on June 16, 2009.

6. Indication of other pertinent matters discussed: None.
7. Results of Interview: No agreement was reached.

It is respectfully submitted that the instant STATEMENT OF SUBSTANCE OF INTERVIEW complies with the requirements of 37 C.F.R. §§1.2 and 1.133 and MPEP §713.04.

It is believed that no petition or fee is required. However, if the USPTO deems otherwise, Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,


Jennifer M. Hayes
Registration No. 40,641

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON DC SUGHRUE/265550

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CUSTOMER NUMBER

Date: July 9, 2009